

AN ORDINANCE

BY COUNCIL MEMBERS DERRICK BOAZMAN AND VERN MCCARTY

01-O-

01-0724

AN ORDINANCE TO ABANDON PUBLIC STREETS KNOWN AS GARLAND STREET, SHAW STREET, TWIGGS STREET, TROUP STREET, MIDDLETON STREET, JENKINS STREET AND WILCOX STREET LOCATED IN THE HOUSING AUTHORITY OF THE CITY OF ATLANTA, GEORGIA COMMUNITY KNOWN AS CARVER HOMES AND TO CONVEY SAID ABANDONED STREETS AT NO COST TO THE HOUSING AUTHORITY OF THE CITY OF ATLANTA, GEORGIA; TO WAIVE THE PROVISIONS OF SECTION 2-1578 OF THE CITY CODE, PROVIDED HOWEVER, THAT SECTION 2-1578 (c)(3) REQUIRING CERTAIN NOTIFICATIONS AND SECTION 138-5 (b) INsofar AS IT PERTAINS TO THE ADVERTISEMENT AND PUBLIC HEARING REQUIREMENT, SHALL NOT BE WAIVED; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta and The Housing Authority of the City of Atlanta, Georgia (the "Housing Authority") for many years have worked as partners to provide adequate housing to the citizens of the City; and

WHEREAS, the Housing Authority is redeveloping Carver Homes into a new mixed-income community; and

WHEREAS, in conjunction with that redevelopment, the Housing Authority is requesting the City of Atlanta to abandon public streets known as Garland Street, Shaw Street, Twiggs Street, Troup Street, Middleton Street, Jenkins Street and Wilcox Street and to convey

City has agreed to convey such abandoned streets without cost or expense to the Housing Authority.

**THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS
AS FOLLOWS:**

Section 1. The provisions of Section 2-1578 of the Code of Ordinances are hereby waived, provided however that Section 2-1578(c)(3) requiring certain notifications and Section 138-5(b) insofar as it pertains to the advertisement and public hearing requirement, shall not be waived.

Section 2. The public streets and rights-of-way known as Garland Street, Shaw Street, Twiggs Street, Troup Street, Middleton Street, Jenkins Street and Wilcox Street, as shown on the attached surveys and as described in the attached legal descriptions, located in the Housing Authority Community known as Carver Homes, are hereby declared no longer useful or necessary for the public's use and convenience and upon the passage of the ordinance, shall thereafter cease to be public streets for any purpose whatsoever and the rights of the public in and to said vacated and abandoned streets shall cease.

Section 3. Any and all reservations for existing public or private utility easements shall remain in effect for the purpose of entering the property to operate, maintain, or replace said utility facilities. These easements shall remain in effect until such time as said utilities are abandoned, removed, or relocated, at which time said easements shall expire.

Section 4. Pursuant to the terms of Section 5(b) of the Carver Homes Cooperation Agreement entered into as of May 10, 2000 among the City, the Housing Authority and Fulton County, all of the City's interest in the streets and rights-of-way described in Section 2 is hereby

Section 6. In accordance with Section 2-1578 (c) (3) of the City Code, appropriate city personnel shall notify utility owners and city departments including but not limited to Police, Fire, Planning, Traffic and Transportation, MARTA, GADOT and maintain a complete response file for summary by the Commissioner of Public Works.

Section 7. Said street abandonments shall be advertised and a public hearing shall be held in accordance with the requirements of Section 138-5(b).

Section 8. All code sections, ordinances, and parts of code sections and ordinances in conflict herewith are hereby waived for the purpose of this ordinance only.

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(Do Not Write Above This Line)

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INsofar AS IT PERTAINS TO THE

ADVERTISING AND PUBLIC HEARING

REQUIREMENT, SHALL NOT BE WAIVED; AND

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☐ CONSENT REFER

☐ REGULAR REPORT REFER

☐ ADVERTISE & REFER

☐ 1st ADOPT 2nd READ & REFER

☒ PERSONAL PAPER REFER

Date Referred

5/7/01

Referred To:

City Utilities

Date Referred

Referred To:

Date Referred

Referred To:

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

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Refer To

Committee

Date

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Action:

Fav, Adv, Hold (see rev. side)

Other:

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Refer To

First Reading

**Large
document
attached**